

EXPRESS MAIL EL 977021355 US  
Serial No.10/542,585  
Customer No. 24498

PATENT  
PD030010

1AP7 REC'D PCT/PTO 08 MAY 2006 # 6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ingo Huetter and Michael Weber  
Serial No. : 10/542,585  
Int'l Appln. No. : PCT/EP03/14931  
Int'l Filing Date : December 29, 2003  
For : UPDATING PARAMETERS IN A BRIDGED MULTISTANDARD  
HOME NETWORK

ATTENTION: PCT RECEIVING OFFICE

RESPONSE TO PETITION OF DISMISSAL  
IN RESPONSE TO ADDITION OF AN INVENTOR UNDER 37 CFR 1.497(d)

MAIL STOP PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attention: Office of PCT Legal Administration

Sir:

In response to the dismissal of applicant's request under 37 CFR 1.497 (d), relating to the above-identified application Serial No.10/542,585 Applicants hereby submit the following:

- 1) A Statement Concerning Error In Inventorship from Michael Weber (the inventor to be added).
- 2) Transfer Document from Thomson Licensing S.A. to Thomson Licensing (and English translation).
- 3) Copy of Assignment signed by both inventors (proof of written consent of the assignees).
- 4) Copy of Dismissal Notice.

Please charge the following fees to Deposit Account No. 07-0832:

- 1) A processing fee of \$130.00.

Please charge any additional fees and credit any overpayments to Deposit Account No. 07-0832. A duplicate copy of this letter is enclosed for use in charging the deposit account.

Respectfully submitted,

*Catherine A. Ferguson*  
Catherine A. Ferguson  
Registration No. 40,877  
609/734-6440

THOMSON Licensing Inc.  
PO Box 5312  
Princeton, NJ 08543-5312

DATE: May 8, 2006  
(Letter In Duplicate)

RECEIVED

16 AUG 2006

Legal Staff  
International Division

ADDITION OF INVENTOR  
STATEMENT CONCERNING ERROR IN INVENTORSHIP

There is an error in inventorship on U.S. Application Serial No. 10/542,582, based on International Application No. PCT/EP03/14931, filed on December 29, 2003, which claims priority of German Application 10302477.8, filed January 23, 2003.

I, Michael Weber, am an inventor on this International Application, having contributed to, at least, one independent claim. The inventorship error in the International application occurred without deceptive intent on my part and I need to be added in accordance with 37 CFR 1.497(d).

Date 12 April 2006

Michael Weber  
Michael Weber

**THOMSON Licensing S.A.**

Société anonyme au capital de 42 000 000 €

Siège social : 46, quai Alphonse Le Gallo - 92100 BOULOGNE-BILLANCOURT

383 461 191 RCS NANTERRE

POUR COPIE

CERTIFIEE CONFORME

ASSEMBLEE GENERALE MIXTE DU 15 JUIN 2005

**EXTRAIT DE PROCES-VERBAL**

Changement de dénomination sociale

**A titre Extraordinaire :**

.../...

**CINQUIEME RESOLUTION**

L'Assemblée Générale, connaissance prise du projet de statuts de la Société sous sa nouvelle forme, statuts qui n'apportent aucune modification aux principales caractéristiques de la Société et notamment son capital social, son objet social, son siège social et à la date de clôture des exercices sociaux, adopte dans toutes leurs dispositions lesdits statuts de la Société sous la forme de Société par Actions Simplifiée. Seule, la dénomination sociale de la Société est modifiée en « THOMSON Licensing ».

Cette résolution, mise aux voix, est adoptée à l'unanimité.

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**DIXIEME RESOLUTION**

L'Assemblée Générale confère tous pouvoirs au porteur d'un original, d'une copie ou d'un extrait du présent procès-verbal, à l'effet d'effectuer toutes formalités requises par la loi.

Cette résolution, mise aux voix, est adoptée à l'unanimité.

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.../...

**THOMSON Licensing S.A.**

Limited liability company with a capital of 42,000,000 €  
Registered office: 46, quai Alphonse Le Gallo - 92100 BOULOGNE-BILLANCOURT  
383 461 191 RCS NANTERRE

**COMBINED GENERAL ASSEMBLY OF 15 JUNE 2005**

[Handwritten signature]

**EXTRACT OF THE MINUTES**

CERTIFIED COPY

Change of corporate name

**As extraordinary general meeting:**

.../...

**FIFTH RESOLUTION**

The General assembly, having examined the project for the articles of association of the Company in its new form, articles of association that do not modify the main characteristics of the Company in any way and particularly its registered capital, its corporate charter, its registered office and the date of the company's year-end closing, adopts all the provisions of the said articles of association of the Company in the form of a Simplified Joint Stock Company. Only the corporate name of the Company is changed to "THOMSON Licensing".

This resolution was put to the vote and adopted unanimously.

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**TENTH RESOLUTION**

The General Assembly confers full powers on the carrier of the original, a copy or an extract of the present minutes, for the purpose of accomplishing any formalities required by the law.

This resolution was put to the vote and adopted unanimously.

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.../...

## ASSIGNMENT OF APPLICATION FOR UNITED STATES LETTER PATENT

WHEREAS Ingo Hütter, Karl-Simrock-Weg 15, D-30982 Pattensen, Germany; Michael Weber, Domagkweg 49, 30627 Hannover, Germany; hereinafter (collectively) referred to as the assignor, has invented a certain improvement relating to

## UPDATING PARAMETERS IN A BRIDGED MULTISTANDARD HOME NETWORK

for which said assignor has caused an application for United States Letters Patent to be prepared, the specification of which was filed on December 29, 2003 as Application Serial No. PCT/EP 2003/014931, or, if not identified here by filing date and serial number, the inventor's declaration for said application being executed concurrently with the execution of this instrument; said application to be filed in the United States Patent and Trademark Office.

## AND WHEREAS

Thomson Licensing  
46 Quai A. le Gallo  
F-92100 Boulogne-Billancourt  
France

hereinafter referred to as the assignee, is desirous of acquiring the entire right, title and interest in and to said application, including any and all divisions and continuations thereof, and in and to said invention and any and all patents which may be granted therefor, including any and all renewals, reissues and prolongations thereof;

NOW THIS WITNESSETH, that for good and valuable consideration paid by said assignee to said assignor, the receipt of which is hereby acknowledged, said assignor hereby assigns, sells and transfers to said assignee, and said assignee's successors and assigns, the entire and exclusive right, title and interest in and to said application, including any and all divisions and continuations thereof, and in and to said invention and any and all patents which may be granted therefor, including any and all renewals, reissues and prolongations thereof; said assignee, and said assignee's successors and assigns, to have, hold, exercise and enjoy the said application, including any and all divisions and continuations thereof, and the said invention and any and all patents which may be granted therefor, including any and all renewals, reissues and prolongations thereof, with all the rights, powers, privileges and advantages in anywise arising from or appertaining thereto, for and during the term or terms of any and all such patents when granted, including any and all renewals, reissues and prolongations thereof, for the use and benefit of said assignee, and said assignee's successors and assigns, in as ample and beneficial a manner as the said assignor might or could have held and enjoyed the same, if this assignment had not been made.

AND said assignor hereby agrees to perform, upon the request of said assignee, or said assignee's successors or assigns, any and all acts relating to the obtaining or to the asserting of said patents, including any and all renewals, reissues and prolongations thereof.


AND said assignor authorizes and requests the Commissioner of Patents and Trademarks to issue Letters Patent on said application, and on any and all divisions and continuations thereof, to said assignee, and said assignee's successors and assigns, in accordance herewith.

EXECUTED, this 8<sup>th</sup> day of November, 2005.

WITNESSES:

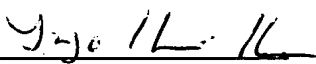
Signature: 

Name: Susanne Wirtz  
Address: W.-Gieseking-Str. 30  
30159 Hannover

Signature: 

Name: Michael Zawadzki  
Address: Trageweg 9  
30163 Hannover

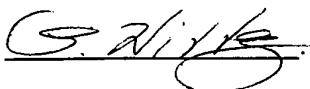
ASSIGNOR:

Signature: 

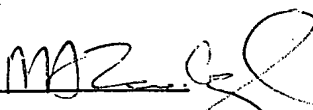
Name: Ingo Hütter

EXECUTED, this 8th day of November, 2005.

WITNESSES:


Signature: 

Name: Susanne Wirtz  
Address: W.-Gieseking-Str. 30  
30159 Hannover

Signature: 

Name: Michael Zawadzki  
Address: Trageweg 9  
30163 Hannover

ASSIGNOR:

Signature: 

Name: Michael Weber

30 MAR 2006

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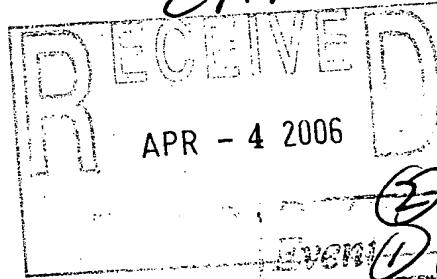
UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

24498  
THOMSON LICENSING INC.  
Patent Operations  
P.O. Box 5312  
Princeton, NJ 08543-5312

In re Application of  
HÜTTER, Ingo  
U.S. Application No.: 10/542,585  
PCT No.: PCT/EP03/14931  
Int. Filing Date: 29 December 2003  
Priority Date: 23 January 2003  
Attorney's Docket No.: PD030010  
For: UPDATING PARAMETERS IN A  
BRIDGED MULTISTANDARD HOME  
NETWORK



CAF  
RETN/  
② DA 37CFR 1.497(d)  
① RETN DISMISSED  
Deadline 30/05/06  
Interest R 05/04/06  
DECISION

This is a decision on the request to add an inventor in the above-captioned application filed 06 January 2006 which is treated under 37 CFR 1.497(d).

### BACKGROUND

On 17 November 2005, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge fee of \$130.00 was required. Applicants were given two months to respond with extensions of time available.

On 05 January 2006, applicant filed the subject petition which was accompanied by, *inter alia*, the surcharge fee and a declaration listing two inventors. The underlying international application records only one inventor.

### DISCUSSION

Applicant requests to add Michael Weber as an inventor in the above-captioned application. 37 CFR 1.497(d) applies when the inventorship in a national stage application filed under 35 U.S.C. 371 differs from that set forth in the international application (see 37 CFR 1.48(f)(1)). 37 CFR 1.497(d) states, in part:

(d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, the oath or declaration must be accompanied by:

- (1) A statement from each person being added as an inventor . . . that any error in inventorship in the international application occurred without deceptive intention on his or her part;
- (2) The processing fee set forth in § 1.17(I); and
- (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignees.

The processing fee of \$130.00 was charged to Deposit Account No. 07-0832 as authorized. However, applicant failed to provide the requisite statement from Michael Weber. The statement by counsel regarding the omission is not sufficient. Moreover, applicant has not provided the written consent of the assignee.

Therefore, all the requirements of 37 CFR 1.497(d) are not complete.

#### **CONCLUSION**

For the reason discussed above, applicant's request under 37 CFR 1.497(d) is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Applicants must address items (1) and (3) of 37 CFR 1.497(d) with any response. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter deposited with the United States Postal Service should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



James Thomson  
Attorney Advisor  
Office of PCT Legal Administration

Tel.: (571) 272-3302